# 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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MAIN COMMITTEE II

SUMMARY RECORD OF THE 2nd MEETING

Held at United Nations Headquarters, New York,
on Friday, 21 April 1995, at 3 p.m.

Chairman: Mr. ERDÖS (Hungary)

CONTENTS

LECTURE BY THE REPRESENTATIVE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA)

GENERAL DEBATE (continued)

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The meeting was called to order at 3.20 p.m.

LECTURE BY THE REPRESENTATIVE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA)

1. A lecture was given by Mr. HOOPER (International Atomic Energy Agency (IAEA)), who then answered questions from members of the Committee.

2. The CHAIRMAN thanked Mr. Hooper, and invited the Committee to resume its general debate.

GENERAL DEBATE (continued)

3. Mr. PAPADIMITROPOULOS (Greece) suggested that, given the nature and importance of the current Conference, the Committee's review of the application of safeguards should not be limited to the past five years.

4. The International Atomic Energy Agency safeguards had in general been very successful. The regular assurances that the Secretariat had detected no diversion of nuclear or non-nuclear material, or misuse of facilities or equipment placed under safeguards, had enjoyed the confidence of the international community. There had been some criticism, but it had not called into question the performance or the integrity of the system as such, and the Agency's Board of Governors had ensured that the system was steered onto the right course.

5. There had been in recent years a number of serious challenges, such as the cases of Iraq and the Democratic People's Republic of Korea, demonstrating the urgent need for further strengthening of safeguards and for improvements in the detection of undeclared activities.

6. The Greek delegation fully endorsed the Agency's efforts to introduce new measures, known as the "Programme 93 + 2". The latter was expected to receive the necessary support and resources at the forthcoming meeting of the Board of Governors. The purpose of the strengthening process should be to achieve comprehensive safeguards, with full verification of all States' declared activities and of the absence of undeclared activities. The system should make use of any technological developments in the field. Narrow legalistic interpretations should be set aside, and the measures already available to the inspectorate should be modernized.

7. He welcomed the progress which had been achieved in cooperation between the International Atomic Energy Agency and the European Atomic Energy Community (EURATOM), as a result of their new partnership approach. There was still room for the two organizations to make further improvements and reduce unnecessary routine activities without sacrificing their authority to produce independent conclusions.

8. The Conference should reaffirm the paramount role of national import and export controls and mechanisms. International cooperation and export control mechanisms, open, transparent and free from discrimination, were becoming widely

accepted as a means to the objective of preventing the proliferation of nuclear weapons.

9. The international community should intensify its efforts to prevent illegal trafficking in nuclear materials, an issue having considerable implications in terms of both proliferation and human health. The European Union had instituted measures similar to those recently adopted by the International Atomic Energy Agency, such as the introduction of a data bank. The secretariats of the two bodies should begin consultations, in order to avoid duplication of work.

10. He reiterated that his Government strongly supported the indefinite and unconditional extension of the Treaty, to be decided by consensus through transparent, democratic means.

11. Mr. PERERA (Sri Lanka) said that, since the safeguard system was the main verification instrument currently available, the Committee's work represented a crucial area for the operation of the Treaty. The serious compliance problems which had recently arisen pointed to the need to strengthen the safeguards regime. Verification should promote, rather than diminish, confidence in the Treaty. The Committee should take account of the call by the Non-Aligned Group for comprehensive and strengthened safeguards to all nuclear activities and facilities. Consideration should be given to creating a mechanism whereby compliance issues could be addressed periodically by all States parties on an equal footing. It would not require any amendment to the Treaty.

12. Recent incidents involving terrorism and the smuggling of nuclear material, representing both security and environmental threats, highlighted the need for more comprehensive safeguard policies. States parties would be well advised to look into urgent ways of addressing that problem.

13. The establishment of nuclear-weapon-free zones in Latin America, Africa and the South Pacific was an important step forward, and the same process should be encouraged in areas such as his own region, South Asia. In that regard, the nuclear-weapon States should show a more forthcoming attitude to nuclear disarmament, a treaty on fissionable material and a comprehensive test-ban treaty. Security concerns of all countries, including those of the threshold States, should be accommodated in a way that could promote both global and regional non-proliferation arrangements.

14. Mrs. KUROKOCHI (Japan) said that the Treaty had played a vital role in preventing the spread of nuclear weapons and in providing significant security benefits. Some States parties, however, refusing to accept the IAEA safeguards, had attempted to develop or acquire nuclear weapons; that had necessitated a strengthening of the traditional safeguards system. Japan welcomed the recent IAEA decision regarding inspection and reporting, but considered that the action recommended by the IAEA secretariat at the recent meeting of the Board of Governors required further detailed consideration.

15. Japan had supported various research and development activities through its Support Programme for Agency Safeguards. Such cooperation greatly contributed to improving the effectiveness and efficiency of safeguards implementation.

16. Concerning the implementation of safeguards in the Democratic People's Republic of Korea, Japan felt that it was extremely important that the framework agreed in 1994 between the United States and the Democratic People's Republic of Korea should be implemented, and hoped that that State would fully comply with its IAEA safeguards agreement.

17. Her Government attached great importance to the peaceful uses of nuclear energy. The development and utilization of nuclear energy must go hand in hand with non-proliferation and safety measures. In that connection, Japan believed that any nuclear fuel cycle programme should be carried out under the IAEA safeguards.

18. Nuclear-weapon States and non-nuclear-weapon States should be on an equal footing in the area of peaceful uses of nuclear energy. Her Government welcomed the conclusion of the voluntary safeguards agreement by all nuclear-weapon States and the acceptance of IAEA inspection at some of their nuclear facilities. Serious consideration should be given to the principle that the same level of safeguards should be applied to all facilities for civilian use in nuclear-weapon States as were applied to the facilities in non-nuclear-weapon States.

19. Japan called upon all States which had not yet acceded to the Treaty to do so as soon as possible, particularly those States which engaged in significant nuclear activities. They should also accept full-scope safeguards, and thereby dispel any suspicion regarding their motives for staying outside the Treaty regime.

20. Mr. DR[illegible]OMIRESCU (Romania) said that as long as nuclear weapons existed, the risk of a nuclear war would persist; all possible steps should therefore be explored to move closer to a world free of that threat.

21. Greater importance should be given to the strengthening of IAEA safeguards, in order to provide maximum assurance of the non-diversion of nuclear material from declared activities and of the absence of undeclared nuclear activities. The current Conference should recommend improved measures to uncover non-declared nuclear installations and material. Those would include, inter alia, improved acquisition and evaluation of information, increasing special inspections of suspect sites, tightening up "significant quantity" thresholds and "timeliness goals", and expanding the ability of the Security Council to expose and even eliminate clandestine nuclear weapons facilities.

22. Romania abided firmly by its Treaty obligations and the IAEA safeguards system. It had joined the reporting scheme for exports and imports of nuclear material, non-nuclear material and specified equipment. He listed a number of other relevant agreements entered into by Romania. His Government also strongly supported Programme 93 + 2 aimed at evaluating the technical, financial and legal aspects of a comprehensive set of measures; that initiative proved the necessary responsiveness of the safeguards system to new challenges and circumstances. Consideration should be given to an expanded model for declaration of nuclear activities and intentions, and to the issue of dual purpose activities.

23. Romania attached high priority to activities aimed at improving cost-effectiveness, but efforts to save resources should not be allowed to jeopardize the effectiveness of the system. In addition, States parties should be called upon to strengthen their political, technical and financial support.

24. An efficient non-proliferation regime required appropriate measures to prevent access to nuclear materials, equipment and technologies, except for peaceful purposes. Any enhanced effort against proliferation should include a strong control regime, aimed at preventing proscribed nuclear activity. States had little to fear from well-conceived export controls and much to fear from a world in which no such controls existed. The Conference should stress the important role played in the supply field by export control regimes, and urge that those regimes be reinforced.

25. Romania held that the creation of nuclear-weapon-free zones could significantly contribute to regional and global security, and constituted an important disarmament measure; it also strongly supported the regional non-proliferation treaties already in force in many areas, as well as proposals to create nuclear-weapon-free zones in regions such as Africa and the Middle East.

26. Mr. DEDEOGLU (Turkey) said that a decisive factor in the implementation of the Treaty was the verification of the fulfilment of Treaty obligations in the form of safeguards envisaged in article III, devised to prevent diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. It had become evident that the current safeguards system was not adequate in that regard. The timely detection of the diversion of significant quantities of nuclear material required more than routine inspections aimed at declared material. Access to locations outside declared facilities and more intrusive inspection of declared nuclear facilities should be seriously taken into account. Increased access to relevant information and sites was essential for the realization of a more effective and efficient safeguards system. His delegation strongly supported the approach and recommendations proposed by IAEA to strengthen the effectiveness and improve the efficiency of its safeguards system.

27. Ms. DELPECH (France) said her delegation welcomed the continued increase in the number of States parties since 1990. As previous review conferences had noted, universal accession to the Treaty and strict application of its provisions was the best way to limit the nuclear-weapon proliferation. The Treaty was the legal framework for international verification by IAEA whose safeguards played a key role in preventing nuclear-weapon proliferation and helped to strengthen collective security.

28. The commitments undertaken by States parties and the safeguards that made it possible to verify the implementation of those commitments were vital to cooperation in the area of peaceful uses of nuclear energy. The recent solidarity among exporting countries in adopting measures to control nuclear exports was a positive development of recent years. Greater responsibility would give rise to greater trust among States and lead to increased cooperation.

29. Since the Fourth Review Conference in 1990, the serious events in Iraq and the Democratic People's Republic of Korea had shown that States which had pledged not to acquire nuclear weapons could secretly conduct nuclear activities which were in contradiction with their commitments and had highlighted the need to change the safeguards system. The international system of verification should be able to adapt to circumstances and difficulties as they emerged in order to gain the confidence of the international community that it was fulfilling its role to prevent nuclear-weapon proliferation. Her delegation urged the Committee to support the recent decisions of the Board of Governors to extend IAEA's access to information and to sites and to call for voluntary and immediate communication of information regarding nuclear imports and exports by States. While the safeguards system had been found to be reliable for declared materials, installations and activities, it should be strengthened in order to detect non-declared activities in those States which had concluded general safeguards agreements. The objective of those agreements was to verify the correctness and completeness of the information submitted by the States and the Committee should encourage the Agency's work in that area.

30. Mr. SHA Zukang (China) said that the Treaty had played a positive role in containing nuclear-weapon proliferation, promoting nuclear disarmament and advancing international cooperation in the peaceful uses of nuclear energy. Since the time the Treaty was concluded, however, circumstances had changed and certain limitations and defects in the Treaty had become apparent, including an imbalance in the rights and obligations of different States parties. His delegation believed that continued progress in nuclear disarmament and enhanced cooperation between countries for the peaceful uses of nuclear energy would help to rectify those limitations and defects. The People's Republic of China had strictly complied with its obligations under the Treaty and viewed the prevention of nuclear-weapon proliferation as an intermediate step towards the ultimate objective of complete prohibition and thorough destruction of nuclear weapons. Over the past 25 years, IAEA safeguards had provided an indispensable means to ensure the implementation of the Treaty.

31. His Government adhered to the three principles of nuclear export, namely, that exports should be exclusively for peaceful purposes, should be subject to IAEA safeguards and should not be retransferred to a third country without the consent of the original exporting country. Only those companies that had been especially designated by the Chinese Government were permitted to engage in such exports and export applications were approved on a case-by-case basis by the appropriate government agencies. In support of IAEA safeguards, his Government had announced in November 1991 that it would notify the Agency of its exports to and imports from non-nuclear-weapon States of material exceeding one effective kilogram of nuclear material, and in July 1993, it had further undertaken to voluntarily notify IAEA of all its imports and exports of nuclear materials and exports of nuclear equipment and related non-nuclear materials. In 1985, his Government had announced its decision to voluntarily place certain of its civilian nuclear facilities under IAEA safeguards, and since 1989 it had established a system of accounting and verification of nuclear materials under those safeguards.

32. While his Government believed that the application of safeguards under the Treaty supported the prevention of nuclear-weapon proliferation, it held that

the legitimate rights and requirements for the peaceful uses of nuclear energy of all countries, the developing countries in particular, should be fully respected. In no way should non-proliferation of nuclear weapons be used as a pretext to restrict or impede the peaceful application of nuclear energy by developing countries. In that regard, it was necessary to emphasize the relationship between the strengthening of the safeguards system and the promotion of cooperation and peaceful uses of nuclear energy. While taking note of the positive recent efforts of IAEA to find ways to strengthen the safeguards regime, he underscored the need for appropriate measures to be adopted both within and beyond the legal framework of IAEA, in the form of agreements between IAEA and the appropriate States parties.

33. His Government supported the establishment, on a voluntary basis and through consultation, of nuclear-weapon-free zones and zones free of weapons of mass destruction. Accordingly, his Government had signed the Additional Protocol to the Treaty of Tlatelolco and the Additional Protocols II and III to the Treaty of Rarotonga. Furthermore, it supported the efforts made by Africa and the Middle East countries to establish nuclear-weapon-free zones and zones free of weapons of mass destruction in those regions.

34. Mr. SCHERBA (Ukraine) said that his Government had consistently pursued a policy of non-proliferation of nuclear weapons and had concluded a comprehensive safeguards agreement which had entered into force on 13 January 1995 and would remain in force until a new safeguards agreement was concluded pursuant to article III of the Treaty. Considerable efforts had gone into the conclusion of that agreement, including the establishment of a system of accounting and verification of nuclear materials. Eight facilities, including five nuclear power plants, had been placed under safeguards, a process which had required substantial material, financial and human resources. Moreover, his Government had had no such previous experience and had greatly benefited from the assistance of IAEA and specific donor States such as Sweden, Finland, the United States and Japan who had provided expertise and technical support. In addition to setting up a system of accounting and verification of nuclear materials, his Government had introduced measures to provide effective controls of exports, imports and transfers of nuclear materials and technology.

35. While it supported the efforts of other States to provide effective verification of the delivery of nuclear materials and technology, his Government believed that such verification should in no way hinder legitimate international cooperation in the area of peaceful uses of nuclear energy. His delegation supported proposals to introduce additional measures to strengthen cooperation among States parties to the Treaty in that area. Believing that IAEA safeguards constituted an essential element of the international non-proliferation regime, his delegation urged all States parties to support the Agency's activities which were directed at increasing the effectiveness of those safeguards. In that regard, the implementation of the programme to strengthen IAEA safeguards would help to promote compliance by States parties with their obligations under the Treaty and to strengthen collective security.

36. Mr. MIŠÁK (Slovakia) said that the Slovak Nuclear Regulatory Authority, an independent body of the State administration that did not report to any organization that designed, constructed or operated nuclear facilities, was

responsible for monitoring Slovakia's observance of its international obligations. The Authority was currently involved in the preparation of the Atomic Act, which would define conditions and ways to ensure the peaceful uses of nuclear energy. Owners of nuclear materials were obliged to keep exact records of their amounts, imports, exports, storage sites, consumption and transport, as required by the Nuclear Regulatory Authority and IAEA.

37. IAEA inspectors had free access to all nuclear facilities in Slovak territory. Inspections have been carried out with the active participation of the Slovak Nuclear Regulatory Authority. Every year, the Agency conducted a number of inspections in Slovakia, and there had not yet been a single case in which a violation of the safeguards system had been found.

38. Slovakia fully supported every measure to strengthen the safeguards system in order to ensure the exclusively peaceful uses of nuclear material and prevent violations of obligations, as had occurred in Iraq and the Democratic People's Republic of Korea.

39. An effective safeguards system required prompt access to reliable information and an efficient data-collection system. In that regard, Slovakia was in favour of greater nuclear transparency, environmental monitoring and the expanded right to prompt access to nuclear facilities on short notice or no notice at all. Regional safeguards offices, enhanced communications capability, improved data processing and multiple-entry visas for inspectors could help make the inspection process more efficient. Those measures should be supported by effective and transparent multilateral export controls and measures to prevent illicit trafficking in nuclear material. Slovakia welcomed the Agency's projects to prevent illicit trafficking; as a substantive part of such measures, it would be advisable to exchange information on international efforts and prepare guidelines for national authorities and customs officers on procedures and equipment to be used at border crossings.

40. Slovakia supported all measures to eliminate the accumulation of stockpiles of highly enriched uranium or plutonium and to ensure that such materials were subject to the highest standards of safety, security and international accountability in conformity with IAEA recommendations. With the end of the cold war, there were new opportunities for verification of nuclear material from dismantled weapons. The Agency should be allowed to take for safekeeping all fissionable materials that were no longer being used for the purpose of deterrence.

41. An inseparable part of the non-proliferation of nuclear weapons was export controls. Slovakia participated in the work of the Zangger Committee and the Nuclear Suppliers Group and used the standard, transparent approach to export controls on items that could be used to produce nuclear explosive devices or in unsafeguarded nuclear fuel-cycle activities. Slovakia had incorporated the guidelines of the Zangger Committee and the Nuclear Suppliers Group into its national legislation and it urged all States to adopt and apply such guidelines.

42. His delegation supported the implementation of article III. The future implementation of that article and the improvement of currently used procedures would further decrease the risk of the proliferation of nuclear weapons.

43. Mr. COOK (New Zealand) said that, in recent years, two countries had been found to be in non-compliance with their safeguards undertakings and the international community had had to respond to unprecedented challenges. In that regard, New Zealand supported the continuing verification of IAEA in Iraq and welcomed the Framework Agreement between the United States of America and the Democratic People's Republic of Korea as a basis for a pragmatic solution to a situation that was potentially destabilizing both for the Asia and Pacific region and for the Treaty itself. The Democratic People's Republic of Korea should carry out its stated intention of returning to full compliance with its safeguards agreement, which remained binding and in force.

44. His delegation strongly supported the proposed measures to strengthen the effectiveness and improve the efficiency of the safeguards system, commonly known as "Programme 93 + 2". The safeguards system must not only provide assurances that nuclear materials were not being diverted but also that no undeclared facilities were in operation. Such measures as improved access to safeguards-related sites and information, and environmental monitoring, were essential.

45. Full-scope safeguards as a condition of supply of nuclear material to non-nuclear-weapon States should be the international norm and should send a message to States that had chosen to remain outside the NPT system that they could not expect the same access to technology as States parties to the Treaty. The Conference should acknowledge that export licensing played an important role in fulfilling the commitments under article III, as well as articles I and II, by ensuring that nuclear transfers did not contribute to the proliferation of nuclear weapons. The purpose of export licensing was to facilitate - not to hinder - trade in nuclear material and equipment, and his delegation believed that most States parties had benefited from the climate of confidence that export licensing created.

46. In the past few years, illicit trafficking in nuclear material had become another area of concern. While individual States were primarily responsible for ensuring the effective physical safety of nuclear material under their control, the 1995 Review and Extension Conference should endorse the supporting role of IAEA in such areas as data coordination and the provision of advice on ways of strengthening national systems of accountancy and control. The Conference should also encourage the relevant States not to stockpile plutonium and highly enriched uranium beyond the operational requirements of civil nuclear energy programmes. It was necessary to recognize the importance of the greatest possible transparency in the management of plutonium and highly enriched uranium and to encourage the consideration of long-term arrangements for their management. The Conference should further encourage all nuclear-weapon States to place under IAEA safeguards excess fissionable material and nuclear installations transferred from military to civil use.

47. As a member of the South Pacific Nuclear-Weapon-Free Zone, New Zealand believed that nuclear-weapon-free zones made a significant contribution to international confidence and stability, and hoped that the changing international situation would enable the United States, the United Kingdom and France to accede to the protocols of the Treaty of Rarotonga. New Zealand also welcomed the significant developments taking place in nuclear-weapon-free zones

in Latin America and Africa and was following with interest the proposal to establish such a zone in South-East Asia.

48. Mr. AITMATOV (Kyrgyzstan) said that his delegation welcomed the recent efforts undertaken by IAEA to improve the safeguards system. It was in the interest of all States parties to enhance the effectiveness, efficiency and universality of the safeguards system, which made nuclear cooperation and commerce possible. Full-scope safeguards should serve as a condition of supply to all non-nuclear-weapon States. In that respect, Kyrgyzstan commended the Nuclear Suppliers Group for its strengthened guidelines and encouraged the Group to expand its membership to include additional nuclear suppliers.

49. His delegation regarded the significant movement to establish nuclear-weapon-free zones in Antarctica, Latin America and the South Pacific as a major achievement of the non-proliferation Treaty. Additional nuclear-weapon-free zones should be created in Africa, the Middle East, the Korean Peninsula and Central Asia. His delegation welcomed the opportunity to learn from the experience of other States and to develop its own ideas about that promising approach to non-proliferation.

50. Mr. SUDJADNAN (Indonesia) said that Indonesia had repeatedly called for the application of the IAEA safeguards system to the nuclear facilities of all countries will a view to redressing the asymmetrical nature of the non-proliferation Treaty. Although nuclear-weapon States were not obliged under the Treaty to submit all their nuclear facilities to the safeguards system, their cooperation in that regard would help build confidence and allay concerns and suspicions. His delegation looked forward to working closely with the United States and the other nuclear-weapon States in regional endeavours to establish nuclear-weapon-free zones, especially in South-East Asia.

51. His delegation appreciated the efforts of the United States and the Russian Federation to implement the Treaty on the Elimination of Intermediate-Range and Shorter-Range Missiles (INF Treaty), the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms (START I) and the Treaty between the United States of America and the Russian Federation on Further Reduction and Limitation of Strategic Offensive Arms (START II). However, his delegation remained to be convinced that by the year 2003, when START II had been fully implemented, the two major nuclear-weapon States and other nuclear-weapon States would abide faithfully by the spirit and letter of the Treaty, since those countries had often stated that they would continue to maintain the military doctrine of nuclear deterrence. If their position remained unchanged, the opportunity to achieve a nuclear-weapon-free world would be lost.

52. It was discouraging to know that some nuclear-weapon States continued to develop nuclear weapons in violation of their commitments under the Treaty. Even more worrisome was the fact that two nuclear-weapon States were engaged in activities that were in contravention of article I. The international community should therefore take concrete steps to halt the proliferation of nuclear weapons, thereby ensuring the future of the Treaty to well beyond 1995.

53. As the implementing agency of the Treaty, IAEA should find ways and means of strengthening the safeguards system in order to enable it to deter, to the maximum extent possible, the diversion of peaceful nuclear activities to military purposes in both non-nuclear-weapon and nuclear-weapon States and, at the same time, prevent any cooperation among the nuclear-weapon States that would violate article I. Indonesia had recently begun to use environmental aerosol monitoring equipment designed to detect any diversion of peaceful nuclear activities to military purposes, and the States parties to the Treaty should consider using such a system.

54. Indonesia attached great importance to the establishment of nuclear-weapon-free zones and welcomed the recent agreement on an African nuclear-weapon-free zone, which it hoped would soon be signed and ratified by all countries in that region. His delegation wholeheartedly supported the initiative taken by the Middle Eastern countries to establish a nuclear-weapon-free zone in their region. Indonesia was firmly committed to the establishment of a nuclear-weapon-free zone in South-East Asia and called upon all nuclear-weapon States to facilitate the achievement of that goal.

55. His delegation supported the legitimate right of non-nuclear-weapon States to participate in the fullest possible exchange of equipment, material and scientific and technological information for the peaceful uses of nuclear energy. It was important to strive for the full implementation of article IV, and it was essential to reconsider the concepts of creating barriers in the form of unilateral restrictions that prevented the full implementation of the Treaty and compromised the interests of the non-nuclear-weapon States parties.

56. The existing export control regime should be replaced by multilaterally negotiated and legally binding commitments that were universal and more acceptable to the developing countries. Only after all States parties committed themselves fully to achieving those long-sought objectives would it be possible to extend the Treaty well beyond 1995.

The meeting rose at 6.15 p.m.